



MEMORANDUM

Agenda Item No. 4(I)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: September 9, 2003

FROM: George M. Burdick
County Manager

SUBJECT: Twin Lakes Street Lighting
Improvement Special Taxing
District Upgrade Report and
Assessment Roll Resolution

RECOMMENDATION

It is recommended that the Board adopt the attached assessment roll resolution which will fund the upgraded street lights in the Twin Lakes Street Lighting Improvement Special Taxing District which will be increased in intensity from 6,300 lumens to 16,000 lumens.

This assessment roll resolution is submitted for consideration by the Board in accordance with the provisions of Ordinance No. 02-012 adopted by the Board of County Commissioners on January 29, 2002. The ordinance established a procedure to increase street light intensity in existing special taxing districts to meet today's special taxing district standards. On January 23, 2003, Dorrin D. Rolle, District 2 Commissioner, requested that the feasibility of upgrading the Twin Lakes District be reviewed, and the Board approved Resolution No. R-70-03 to that effect.

BACKGROUND

The Twin Lakes Street Lighting Improvement Special Taxing District was created on November 12, 1963, by Board of County Commission Resolution No. R-9238. In May, 1984 the intensity of the district's mercury vapor street lights was upgraded from the original 4,500 lumens to 6,300-lumen sodium vapor (LSV) street lights. This change allowed for a higher level of light intensity, and at the same time represented a saving for the district since the 6,300 LSV street lights used half the energy to operate.

Staff performed a cost and feasibility study for upgrading the existing 6,300 lumen sodium vapor street lights to 16,000 lumens. In staff's opinion, and based on the present district configuration and spacing of poles, this will represent the appropriate level of lighting for this residential district without the addition of new light poles. The upgraded street lights will provide special benefits to all property within the district in excess of the total amount of special assessments to be levied.

The cost to upgrade the 257 street lights and advertise the assessment roll hearing is estimated to be \$4,925. This will be paid from the District's cash reserves. The estimated annual assessment increase following the upgrade will be \$3.68 for an interior lot and \$5.25 for a corner lot. This increase in assessment is 13.45% above the present assessment rate of \$0.3652 per front foot. The annual rate per front foot following implementation of the street light upgrade would be \$0.3682 each year.

It is expected that the engineering and construction will be completed by September, 2004.

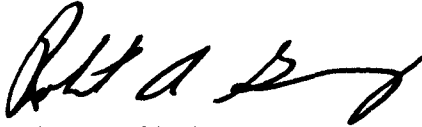


MEMORANDUM

(Revised)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: September 9, 2003

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 4(I)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☒ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4 (I)
9-9-03

RESOLUTION NO. _____

RESOLUTION PROVIDING FOR THE UPGRADING OF STREET LIGHTING SERVICES AND ADOPTING A REVISED ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS TWIN LAKES STREET LIGHTING IMPROVEMENT SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, ORDINANCE NO. 02-12 AND RESOLUTION NO. R-9238

WHEREAS, with the adoption of Ordinance No. 02-12 the Board of County Commissioners established a procedure for upgrading the level of street lighting services within existing special taxing districts in Miami-Dade County, Florida; and

WHEREAS, the Twin Lakes Street Lighting Improvement Special Taxing District created by Resolution No. R-9238 now provides street lighting services which may be upgraded to meet current County standards; and

WHEREAS, pursuant to Resolution No. R-70-03, the Board of County Commissioners directed the County Manager to perform a study to determine the cost to upgrade the existing 6,300 lumen sodium vapor streets lights to higher intensity levels; and

WHEREAS, the County Manager, after making appropriate investigations, surveys, plans and specifications, compiled and filed with the Board of County Commissioners his written report and recommendations setting forth a description of the upgraded street lighting services to be provided and maintained within the district, an estimate of the cost of constructing and maintaining such upgraded improvements, an estimate of the revised annual expense of maintaining and operating such improvements, his certification that the proposed upgraded services conform to the master plan of development for the County, and setting forth his recommendations concerning the need for and desirability of the requested upgraded services, the ability of the affected property to bear the revised special assessments for financing the cost of maintaining such project, and an estimate of the amount to be assessed against each front foot of the benefited property within the district, and expressing his opinion that the property to be specially assessed will be benefited in excess of the revised special assessments to be levied; and

WHEREAS, it appearing to the Board of County Commissioners from such report of the County Manager and other investigations that the upgraded street light services will be of special benefit to all property within the district and that the total amount of the special assessments to be levied would not be in excess of such special benefit; and

WHEREAS, pursuant to Ordinance No. 02-12, the County Manager caused a revised assessment roll reflecting the increased costs associated with installation of 16,000 lumen sodium vapor street lights to be prepared and filed with the Clerk of the County Commission and pursuant to notice published and posted within the special taxing district, the County Commission held a public hearing on this date upon the revised assessment roll submitted by

the County Manager, and all interested persons were afforded the opportunity to present their objections, if any, in respect to their assessments on such assessment roll; and

WHEREAS, after due consideration, the County Commission found and determined that the assessments shown on the revised assessment roll were generally in direct proportion to the special benefits accruing to the respective parcels of real property appearing on said assessment roll; and

WHEREAS, when finally approved and confirmed pursuant to Ordinance No. 02-12 and Chapter 18 of the Miami-Dade County Code, as was done with the prior special assessments of this district, the increased special assessments will be placed on the November 2004, and subsequent real property tax bills and that, if these special assessments are not paid when due, the properties on which the special assessments are levied will be respectively subject to the same collection procedures as for ad valorem taxes, including possible loss of title,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. The upgraded improvements and services to be provided within this special taxing district will consist of the following:

Installation of 16,000 lumen sodium vapor street lights mounted on existing poles located within the street right-of-way.

The installation of the upgraded improvements and services will be accomplished pursuant to an agreement between Miami-Dade County and the Florida Power and Light Company.

Section 2. That the said revised assessment roll (a copy of which is made a part hereof by reference) is approved, adopted and confirmed pursuant to the provisions of Ordinance No. 02-12 and Chapter 18 of the Miami-Dade County Code.

Section 3. The Clerk of the Board of County Commissioners is directed to deliver to the Finance Director, on or before June 30, 2004, a copy of the revised assessment roll, and to cause a duly certified copy of this resolution, together with the revised assessment roll, to be filed and recorded in the Office of the Clerk of the Circuit Court of Miami-Dade County, Florida.

Section 4. All assessments made upon said assessment roll shall constitute a special assessment lien upon the real property so assessed from the date of the confirmation of such assessments, in accordance with the provisions of Section 18-14(8) of the Code of Miami-Dade County, Florida, and for each year thereafter, said annual special assessments shall constitute a lien as of January 1st of such year.

Section 5. All assessments shall be payable in accordance with Section 18-14(7) of the Code of Miami-Dade County, Florida. As authorized by Section 197.363, Florida Statutes, all special assessments levied and imposed under the provisions of Resolution No. 9238, and this Resolution, shall be collected, subject to the provisions of Chapter 197, Florida Statutes, in the same manner and at the same time as ad valorem taxes. Unless paid when due, such assessments shall be deemed delinquent and payment thereof may be enforced by means of the procedures provided by the provisions of Chapter 197, Florida Statutes, and/or Section 18-14(8) of the Code of Miami-Dade County, Florida.

The foregoing resolution was offered by Commissioner _____, who
moved its adoption. The motion was seconded by Commissioner _____, and upon
being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson
Katy Sorenson, Vice-Chairperson

Bruno A. Barreiro
Betty T. Ferguson
Joe A. Martinez
Dennis C. Moss
Natacha Seijas
Sen. Javier D. Souto

Jose "Pepe" Diaz
Sally A. Heyman
Jimmy L. Morales
Dorrian D. Rolle
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 9th
day of September, 2003. This resolution shall become effective ten (10) days after the date of
its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an
override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency. _____

By: _____
Deputy Clerk

James K. Kracht

